

TWENTY-THIRD REGULAR COUNCIL MEETING AGENDA

"PEOPLE WITH GOOD INTENTIONS MAKE PROMISES.....PEOPLE WITH GOOD CHARACTER KEEP THEM"

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Notice of the 23rd Regular Meeting of the 2016-2017 Common Council at 6:00 p.m., MONDAY, March 6, 2017, in the Council Chambers of City Hall. Persons with disabilities who need accommodations to attend the meeting should contact the City Clerk's Office, at 828 Center Ave., Susan Richards, at 459-3361, as soon as possible

**1. OPENING OF MEETING**

- 1.1 ROLL CALL
- 1.2 PLEDGE OF ALLEGIANCE
- 1.3 APPROVAL OF MINUTES
- 1.4 RESIGNATIONS
- 1.5 MAYOR'S APPOINTMENTS
- 1.6 PUBLIC FORUM
- 1.7 CITIZEN INCIDENT REPORTING - DAVID AUGUSTIN, IT DIRECTOR
- 1.8 STRATEGIC PLAN - 2017 ACTION ITEMS AND CRITICAL MEASURES REVIEW - DARRELL HOFLAND, CITY ADMINISTRATOR
- 1.9 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS

**2. HEARINGS**

2.1 Hearing No. 16-16-17 to propose an amendment to the City of Sheboygan's FY 2016-2017 Community Development Block Grant Annual Action Plan/Five-Year Consolidated Plan.

ATTACHMENT: HEARING AMENDMENT CDBG.pdf

**3. CONSENT AGENDA**

3.1 MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES.

3.2 R. O. No. 231-16-17 by the City Clerk granting various licenses. ACCEPT AND FILE

ATTACHMENT: UPDATED RO.pdf

3.3 R. O. No. 232-16-17 by the City Clerk submitting, as a matter of record, a communication from the Wis. Historical Society giving notice of entry in the National and State Register of Historic Places for Washington Elementary School at 1238 Geele Ave. ACCEPT AND FILE

ATTACHMENT: HISTORICAL SOCIETY.pdf

3.4 R. O. No. 234-16-17 by the Transit Commission who met and discussed Res. No. 205-16-17 by Ald. Wolf authorizing executing the 2017 Amended General Contract between Sheboygan County Health & Human Services Dept. and Shoreline Metro regarding transportation for elderly and disabled individuals; recommends that the Resolution be passed. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 205.pdf

3.5 Res. No. 209-16-17 by Ald. Donohue and Hou-Seye directing a public hearing to amend the City's Future Land Use Map of the Comprehensive Plan to change the Land Use Classification of property located at 1031 Maryland Ave. from Employment to Central Mixed Use. PASS RESOLUTION

ATTACHMENT: RES PUBLIC HEARING LAND USE.pdf

3.6 Res. No. 210-16-17 by Ald. Donohue and Hou-Seye directing a public hearing to be held to change the City's Zoning Map for property located at 1031 Maryland Ave. from Class UI Urban Industrial to Class CC Central Commercial Classification. PASS RESOLUTION

ATTACHMENT: RES PUBLIC HEARING ZONING.pdf

3.7 R. C. No. 328-16-17 by Finance to whom was referred R. C. No. 349-15-16 by Finance and R. O. No. 209-15-16 by the City Clerk submitting a communication from Optum who represents Network Health, which provides benefits on behalf of its covered patient for injuries sustain while on our premises; recommends that the documents be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RC 349.pdf

3.8 R. C. No. 329-16-17 by Finance to whom was referred R. O. No. 155-16-17 by the City Clerk submitting a claim from Wilson Mutual Insurance Co. on behalf of their insured L.C.N.R., LLC, for alleged damages to their property due to sewer backup; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 155.pdf

3.9 R. C. No. 330-16-17 by Finance to whom was referred R. O. No. 173-16-17 by the City Clerk submitting a claim from Doneff Properties, LLC, for alleged damages to an apartment door and lock; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 173.pdf

3.10 R. C. No. 331-16-17 by Finance to whom was referred R. O. No. 174-16-17 by the City Clerk submitting a claim from Michael J. Miller for alleged damages to his house when a City tree fell into the house; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 174.pdf

3.11 R. C. No. 332-16-17 by Finance to whom was referred R. O. No. 186-16-17 by the City Clerk submitting a Subrogation Claim Notice from Allstate Property

and Casualty Insurance Co. regarding their insured Cecelia Mondloch; recommends that the document be accepted and file and to pay claim in the amount of \$5,493.11. ACCEPT AND ADOPT

ATTACHMENT: RO 186.pdf

3.12 R. C. No. 333-16-17 by Finance to whom was referred R. O. No. 187-16-17 by the City Clerk submitting a claim from Timothy Quinn for alleged damages to his vehicle when a garbage truck backed into his legally parked car; recommends that the documents be accepted and filed and to pay the claim in the amount of \$1,231.25. ACCEPT AND ADOPT

ATTACHMENT: RO 187.pdf

3.13 R. O. No. 334-16-17 by Finance to whom was referred R. O. No. 192-16-17 by the City Clerk submitting a claim from Allen Brotz for alleged damages to his mailbox when a snow plow hit it; recomemnds that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 192.pdf

3.14 R. C. No. 335-16-17 by Finance to whom was referred R. O. No. 193-16-17 by the City Clerk submitting a claim from Matt Moeller for alleged damages to his mailbox when a snow plow hit it; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 193.pdf

3.15 R. C. No. 336-16-17 by Finance to whom was referred R. O. No. 197-16-17 by the City Clerk submitting a Notice of Claim from American Family Insurance on behalf of their insured Jairo A. and Alma D. Orozco; recommends that the documents be accepted and filed and to pay the claim in the amount of \$3,292.91. ACCEPT AND ADOPT

ATTACHMENT: RO 197.pdf

3.16 R. C. No. 337-16-17 by Law and Licensing to whom was referred R. O. No. 200-16-17 submitting various license applications; recommends granting the licenses (Johnson). ACCEPT AND ADOPT

ATTACHMENT: RO 200.pdf

3.17 R. C. No. 338-16-17 by Finance to whom was referred R. O. No. 210-16-17 by the City Clerk submitting a claim from Stuart and Lisa Cannon for alleged damages to their curb stop water valve causing a water leak from the valve when a City tree-cutting crew drove over the curb stop valve creating a broken valve resulting in the leak; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 210.pdf

3.18 R. C. No. 339-16-17 by Finance to whom was referred R. O. No. 211-16-17 by the City Clerk submitting a claim from Morgan Lee Hilbelink for alleged damages to her vehicle when she hit several unmarked potholes in the northbound lane of Taylor Dr.; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 211.pdf

3.19 R. C. No. 340-16-17 by Public Works to whom was referred R. O. No. 219-16-17 by the City Clerk submitting a communication from Charlie Klima requesting the opportunity to speak to the committee responsible for the policy concerning the cost of sidewalk repair after tree root problems; recommends that the document be placed on file. ACCEPT AND ADOPT

ATTACHMENT: RO 219.pdf

3.20 R. C. No. 341-16-17 by Finance to whom was referred R. O. No. 222-16-17 by the City Clerk submitting a claim from Brittany A. Bremer for alleged damages to her parked vehicle when a snow plow hit a man hole cover and it went flying into her car; recommends that the claim be denied and to direct the City Atty. to send a Notice of Disallowance. ACCEPT AND ADOPT

ATTACHMENT: RO 222.pdf

3.21 R. C. No. 345-16-17 by Law and Licensing to whom was referred R. O. No. 230-16-17 by the City Clerk; recommends approving various licenses (Sheboygan Harbor Petro). ACCEPT AND ADOPT

ATTACHMENT: PURSUANT TO RO 230.pdf

3.22 R. C. No. 348-16-17 by Public Works to whom was referred Res. No. 201-16-17 by Ald. Belanger authorizing entering into a contract for the 2017 Concrete Sidewalk Replacement Program; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 201.pdf

3.23 R. C. No. 349-16-17 by Public Works to whom was referred Res. No. 202-16-17 by Ald. Belanger authorizing entering into contract for the purchase of a Bobcat Toolcat and Spreader attachment for the Public Works Dept.; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 202.pdf

3.24 R. C. No. 350-16-17 by Public Works to whom was referred Res. No. 203-16-17 by Ald. Belanger authorizing entering into contract for the purchase of a Tack applicator trailer for the Public Works Dept.; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 206.pdf

3.25 R. C. No. 352-16-17 by Finance to whom was referred Res. No. 206-16-17 (DIRECT REFERRAL) by Ald. Wolf authorizing an application to Sheboygan County Stewardship Program for an ADA canoe/kayak launch facility at Kiwanis Park; recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 206.pdf

#### **4. REPORTS OF OFFICERS**

4.1 R. O. No. 233-16-17 by Transit Commission who met and discussed Res. No. 191-16-17 by Ald. Wolf authorizing entering into contract for the provision and performance of a parking study for downtown Sheboygan; recommends passing the Resolution. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: RES 191.pdf

4.2 R. O. No. 235-16-17 by the City Clerk submitting a petition for direct annexation by unanimous approval for property located in the Town of Sheboygan at 3009 N. 15th St. CITY PLAN COMMISSION AND FINANCE

ATTACHMENT: RO ANNEXATION PETITION.pdf

4.3 R. O. No. 236-16-17 by the City Clerk submitting an application from KCG Development, LLC, requesting an amendment of the Official Zoning Map from Use District Classification Urban Industrial (UI) to Use District Classification Central Commercial (CC). CITY PLAN COMMISSION

ATTACHMENT: RO ZONE KCG.pdf

4.4 R. O. No. 237-16-17 by the City Clerk submitting a claim from Thomas Leubner for alleged damages to his front right tire while driving on S. Taylor Dr. and hit a pot hole. FINANCE

ATTACHMENT: LEUBNER.pdf

4.5 R. O. No. 238-16-17 by the City Clerk submitting a claim from Thong Lee for alleged damages when a fire truck hit the side of his parked car and broke the driver's side mirror. FINANCE

ATTACHMENT: LEE.pdf

4.6 R. O. No. 239-16-17 by the City Clerk submitting a claim from James Noel for alleged damages to four mailboxes when a snow plow hit them. FINANCE

ATTACHMENT: NOEL.pdf

4.7 R. O. No. 240-16-17 by the City Clerk submitting a communication from Sheboygan Squared requesting the City release all funds collected on behalf of the Harbor Centre BID and that those funds be allocated to them for fiscal 2017. FINANCE

ATTACHMENT: SHEBOYGAN SQUARED.pdf

4.8 R. O. No. 241-16-17 by the Dir. of Planning and Development submitting a request to use one of the City's free Blue Harbor Conference Center days to host the 2017 Wisconsin Downtown Action Council annual conference on October 27, 2017. FINANCE

ATTACHMENT: PLANNING BLUE HARBOR DAY.pdf

4.9 R. O. No. 242-16-17 by the City Clerk submitting a communication from Christopher Malwitz requesting a waiver from the Sex Offender Residency restrictions in order to live at 1534 Main Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: MALWITZ.pdf

4.10 R. O. No. 243-16-17 by the City Clerk submitting a communication from Chad Moan requesting a waiver from the Sex Offender Residency restrictions in order to live at 2607 N. 8th St. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: MOAN.pdf

4.11 R. O. No. 244-16-17 by the City Clerk submitting a communication from Wis. Dept. of Corrections on behalf of Richard Lampe Jr. requesting a waiver

from the Sex Offender Residency restrictions in order to be placed in a TLP at either 1123/1125 N. 14th St. or 930A Michigan Ave. depending on availability.  
PUBLIC PROTECTION AND SAFETY

ATTACHMENT: UPDATED LAMPE.pdf

4.12 R. O. No. 245-16-17 by the Dir. of Public Works submitting the 2016 Department of Public Works Annual Report of Operations. PUBLIC WORKS

ATTACHMENT: 2016 DPW Annual Report.pdf

## **5. RESOLUTIONS**

5.1 Res. No. 211-16-17 by Ald. Wolf authorizing entering into contract for the purchase and delivery of (40) concrete planters for the downtown business district 8th Street Corridor. LIES OVER

ATTACHMENT: CONCRETE PLANTERS.pdf

5.2 Res. No. 212-16-17 by Ald. Wolf authorizing a transfer of appropriations in the 2017 Budget (establish appropriation for an advance of funds to the Redevelopment Authority for land acquisition - funds will be repaid with interest). FINANCE

ATTACHMENT: TRANSFER RDA LAND.pdf

5.3 Res. No. 213-16-17 by Ald. Wolf authorizing a transfer of appropriations in the 2017 Budget (establish appropriation for a development loan to The Founders Club). FINANCE

ATTACHMENT: TRANSFER FOUNDERS CLUB.pdf

5.4 Res. No. 214-16-17 by Ald. Belanger authorizing entering into contract with Excel Underground LLC, for the underground utility locating service (Digger's Hotline Requests). PUBLIC WORKS

ATTACHMENT: EXCEL UNDERGROUND.pdf

## **6. REPORTS OF COMMITTEES**

6.1 R. C. No. 342-16-17 by Law and Licensing to whom was referred R. O. No. 200-16-17 by the City Clerk submitting various license applications; recommends denying Beverage Operator's License application #1498 based upon his record of violations related to the licensed activity and his failure to cooperate with the Committee. ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 200.pdf

6.2 R. C. No. 343-16-17 by Law and Licensing to whom was referred R. O. No. 223-16-17 by the City Clerk submitting various license applications; recommends denying Transient Merchant License application #1650 based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity and his record as a repeat law violator. ACCEPT AND ADOPT

ATTACHMENT: PURS TO RO 223 - #1650.pdf

6.3 R. C. No. 344-16-17 by Law and Licensing to whom was referred R. O. No. 223-16-17 by the City Clerk submitting various license applications; recommends denying Taxicab Driver's License application #1151 based upon his failure to

accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his record as a repeat law violator. ACCEPT AND ADOPT

ATTACHMENT: deny #1151.pdf

6.4 R. C. No. 346-16-17 by Finance to whom was referred Res. No. 195-16-17 by Ald. Wolf authorizing a transfer of appropriations in the 2017 Budget (establish appropriation for environmental remediation costs related to the Portscape Apartment project); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 195.pdf

6.5 R. C. No. 347-16-17 by Finance to whom was referred Res. No. 198-16-17 by Ald. Donohue authorizing the Purchasing Agent to prepare and issue a request for bids for demolition and request for proposals for the redevelopment of the Armory property located at 516 Broughton Dr.; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 198.pdf

6.6 R. C. No. 351-16-17 by Finance to whom was referred Res. No. 204-16-17 by Ald. Wolf authorizing a transfer of appropriations in the 2017 Budget (establish revenue and appropriation for contracted services for Fire Station #2 architectural and engineering services associated with the reconstruction of the roof structure); recommends passing the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 207-16-17.pdf

ATTACHMENT: UPDATED RC NO 351.pdf

6.7 R. C. No. 353-16-17 by Finance to whom was referred Res. No. 207-16-17 (DIRECT REFERRAL) by Ald. Wolf approving the terms and conditions of the Development Agreement between The Founders Club, LLC, and the City of Sheboygan; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: UPDATED FOUNDERS CLUB.pdf

## **7. ORDINANCES**

7.1 Gen. Ord. No. 43-16-17 by Ald. Donohue and Hou-Seye amending the City's Zoning Map to change the Use District Classification of property located at 1031 Maryland Ave. from Class UI Urban Industrial to Class CC Central Commercial Classification. CITY PLAN COMMISSION

ATTACHMENT: GO ZONING MARYLAND AVE.pdf

7.2 Gen. Ord. No. 44-16-17 by Ald. Belanger and Wolf annexing territory to the City of Sheboygan, Wisconsin. CITY PLAN COMMISSION AND FINANCE

ATTACHMENT: GO 44-16-17.pdf

ATTACHMENT: GO ANNEXATION.pdf

7.3 Gen. Ord. No. 45-16-17 by Ald. Donohue and Hou-Seye amending the City's Future Land Use Map of the Comprehensive Plan to change the Land Use Classification of property located at 1031 Maryland Ave. from Employment to

Central Mixed Use. CITY PLAN COMMISSION

ATTACHMENT: GO COMP PLAN MARYLAND AVE.pdf

**8. MATTERS LAID OVER**

8.1 Res. No 196-16-17 by Ald. Donohue authorizing the submittal of a Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program for the 2016 program year.; recommends passing the Resolution. PASS RESOLUTION

ATTACHMENT: RES 196.pdf

**9. OTHER MATTERS**

9.1 R. O. No. 247-16-17 by the City Clerk submitting a communication from Bradley J. Curler requesting a waiver from the Sex Offender Residency restrictions in order to live at 1630 Blocki Ct. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: CURLER - Other Matters.pdf

9.2 R. O. No. 248-16-17 by the City Clerk submitting a communication from Anthony Curtis McDaniel requesting a waiver from the Sex Offender Residency restrictions in order to live at 828B Lincoln Ave. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: MCDANIEL.pdf

9.3 Res. No. 215-16-17 by Ald. Belanger declaring intent to exercise the police power to levy special assessments for the 2017 Bituminous Resurfacing Program for various streets. PUBLIC WORKS

ATTACHMENT: RESURFACING RES.pdf

9.4 Res. No. 216-16-17 by Ald. Belanger authorizing entering into contract for Professional Services related to design and project management of replacement of the Main Electrical Switchgear for the Sheboygan Regional Wastewater Treatment Facility. PUBLIC WORKS

ATTACHMENT: SWITCHGEAR.pdf

9.5 R. O. No. 246-16-17 by the City Clerk submitting various license applications. LAW AND LICENSING

ATTACHMENT: REFERRED DOCS.pdf

**10. ADJOURN MEETING**

10.1 Motion to Adjourn

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall  
Mead Public Library  
Sheboygan County Administration Building  
City's website